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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/524,785 | 08/10/2005 | Yoshiaki Miyata | 265913US0PCT | 8700 |
| 22850 7590 01/07/2008 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314 | | | EXAMINER CRANE, LAWRENCE E | |
| | | | ART UNIT 1623 | PAPER NUMBER |
| | | | NOTIFICATION DATE 01/07/2008 | DELIVERY MODE ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10524785 | 8/10/05 | MIYATA ET AL. | 265913US0PCT |

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

L. E. . Crane

| ART UNIT | PAPER |
|----------|-----------|
| 1623 | 01012008. |

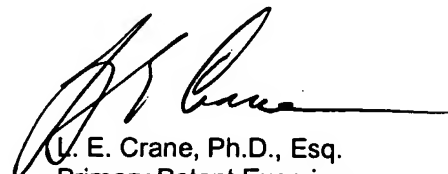
DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See attached communication from the examiner in charge of this application.

LECRANE:lec
01/01/2008


L. E. Crane, Ph.D., Esq.
Primary Patent Examiner
Technology Center 1600

The instant disclosure fails to include "Cross-References to Related Applications." See 37 C.F.R. §1.78 and MPEP at §201.11. Applicant is respectfully requested to include the requested information as the first paragraph of the disclosure.

Applicant's arguments filed October 18, 2007 have been fully considered but they are not persuasive.

Applicant does not appear to have responded to the above request for amendment.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly claims 1-11 have been withdrawn from consideration as being directed to a non-elected invention. See 37 C.F.R. §1.142(b) and MPEP §821.03.

The communication filed on October 18, 2007 is non-responsive to the prior Office action because the subject matter now claimed is directed to two separate active ingredients in "liquid A," subject matter that was not searched as part of the original Office action development and will require a new search to devise a complete response.

Since the response appears to be *bona fide*, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is required to complete the response within the TIME LIMIT of ONE MONTH from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 C.F.R. §1.136(a) OR (b), but the period for response set in the last Office action may be extended up to a maximum of SIX MONTHS.

If applicant intends to pursue the instant claims as now amended, the filing of a Request for Continued Examination (RCE) will provide examiner the opportunity to search the newly claimed subject matter. Because applicant's specification includes experimental data already, examiner notes that applicant also has the opportunity to file, and is encouraged to file, any additional experimental data available and supportive of the subject matter of the claims as now amended (e.g. in the form of a declaration under 37 C.F.R. §1.132).

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Papers related to this application may be submitted to Group 1600 via facsimile transmission (FAX). The transmission of such papers must conform with the notice published in the Official Gazette (1096 OG 30, November 15, 1989). The telephone number to FAX (unofficially) directly to Examiner's computer is 571-273-0651. The telephone number for sending an Official FAX to the PTO is 571-273-8300.

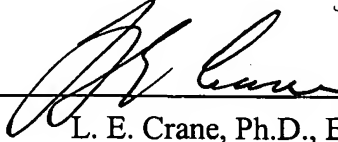
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner L. E. Crane whose telephone number is **571-272-0651**. The examiner can normally be reached between 9:30 AM and 5:00 PM, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. S. Anna Jiang, can be reached at **571-272-0627**.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group 1600 receptionist whose telephone number is **571-272-1600**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status Information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see < <http://pair-direct.uspto.gov> >. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).

LECrane:lec
01/01/2007


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Technology Center 1600